

EXHIBIT 4



Jeffrey C. Londa
713.655.5750
jeffrey.londa@odnss.com

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

Attorneys at Law

One Allen Center
500 Dallas Street, Suite 3000
Houston, TX 77002-4709
Telephone: 713.655.0855
Facsimile: 713.655.0020
www.ogletreedeakins.com

October 27, 2009

CERTIFIED MAIL/RRR

Mr. George A. Hanson
Stueve Siegel Hanson LLP
460 Nichols Road, Suite 200
Kansas City, Mo 64112

Re: Civil Action No. 1:08-cv-00248-SS; *Hitul Gandhi, et al v. Dell Inc., et al*; In the
United States District Court for the Western District of Texas, Austin Division

Dear George:

Enclosed is Defendants Dell Inc. and Dell Marketing USA L.P.'s Amended Objections
and Answers to Plaintiffs' First Interrogatories.

Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "JCL", with a long, sweeping horizontal line extending to the right.

Jeffrey C. Londa

JCL/ldw
Enclosure

cc: **CERTIFIED MAIL/RRR**
Meredith Black-Matthews
J. Derek Braziel
Lee & Braziel, L.L.P.
1801 N. Lamar Street, Suite 324
Dallas, TX 75202

CERTIFIED MAIL/RRR

William B. Federman
Federman & Sherwood
10205 N. Pennsylvania Avenue
Oklahoma City, OK 73120

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

HITUL GANDHI, individually, and on behalf
of a class of others similarly situated,

Plaintiff,

v.

Case No. 1:08cv-00248-SS

DELL INC.,
and
DELL MARKETING USA L.P.,

Defendants.

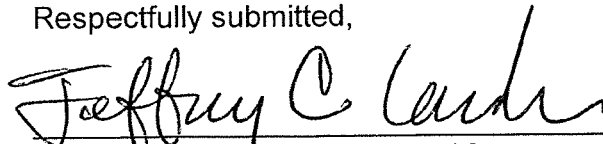
**DEFENDANTS DELL INC. AND DELL MARKETING USA L.P.'S AMENDED
OBJECTIONS AND ANSWERS TO PLAINTIFFS' FIRST INTERROGATORIES**

TO: Plaintiff Hitul Gandhi, by and through his attorney of record, George A. Hanson, Stueve Siegel Hanson LLP, 460 Nichols Road, Suite 200, Kansas City, Missouri 64112.

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendants Dell Inc. and Dell Marketing USA L.P. (collectively, "Defendants") provide these Amended Objections and Answers to Plaintiffs' Interrogatories.

Defendants reserve the right to supplement these responses.

Respectfully submitted,



Jeffrey C. Londa, TX #12512400
OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.
500 Dallas Street, Suite 3000
Houston, Texas 77002-4709
(713) 655-5750
(713) 655-0020 (Fax)

Michael W. Fox, TX #07335500
OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.
301 Congress Avenue, Suite 1250
Austin, TX 78701
(512) 344-4700
(512) 344-4701 (Fax)

*ATTORNEYS FOR DEFENDANTS
DELL INC. AND DELL MARKETING USA L.P.*


CERTIFICATE OF SERVICE

The undersigned certifies that on the 27th day of October, 2009, the above and foregoing document was mailed by certified mail, return receipt requested, to the following counsel:

George A. Hanson
Matthew L. Dameron
Stueve Siegel Hanson LLP
460 Nichols Road, Suite 200
Kansas City, MO 64112

Meredith Black-Matthews
J. Derek Braziel
Lee & Braziel, L.L.P.
1801 N. Lamar Street, Suite 324
Dallas, TX 75202

William B. Federman
Federman & Sherwood
10205 N. Pennsylvania Avenue
Oklahoma City, OK 73120



Jeffrey C. Londa

**AMENDED OBJECTIONS AND ANSWERS TO PLAINTIFFS' FIRST
INTERROGATORIES**

INTERROGATORY NO. 2. Identify each and every individual employed by Dell as a business sales representative during the class period, and provide (in Excel format) his or her name, last known address, last known telephone number(s), dates of employment and social security number.

ANSWER: Defendants object to this interrogatory because it is overly broad, harassing, and unduly burdensome. Defendants additionally object to this interrogatory because it seeks information that is confidential, proprietary, and which would invade the privacy of individuals not parties to this lawsuit. Defendants also object to this interrogatory because it is vague insofar as the definition of "business sales representative" is unclear. Defendants also object to this interrogatory because it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, this interrogatory seeks more information than Defendants were ordered to produce to a third-party administrator and defines "class period" in a manner different from that which was ordered by the Court. Defendants also object to Plaintiff's request for documents and documents in a particular format via an interrogatory. Subject to and without waiving the above objections, Defendant Dell Marketing amends its answer as follows:

On October 20, 2009, Magistrate Judge Andrew W. Austin entered an order regarding Defendants' Motion to Facilitate Notice of a Collective Action. The Order instructs Defendants to provide a third-party administrator with a list of contact information regarding "anyone who is or was (at any time between September 1, 2006, and the present) a telephone-dedicated employee whose primary job duties included assisting Dell business customers and/or selling Dell products to business customers, including, but not limited to, telephone-dedicated employees who work in Dell call centers located in Nashville, Tennessee; Oklahoma City, Oklahoma; Round Rock, Texas; and McGregor, Texas." Defendant Dell Marketing has identified 2,544 current or former Dell employees who fit within that description and will provide names and current or last known addresses directly to the third-party administrator on a confidential basis in accordance with the Court's Order.